

# H.R. 1891 THE SETTING NEW PRIORITIES IN EDUCATION SPENDING ACT

## COMMITTEE REPORT

### PURPOSE

H.R. 1891, the Setting New Priorities in Education Spending Act, begins the process of reforming our nation's broken public education system. The bill repeals the authorization of more than 40 wasteful education programs, reducing by half the number of federal education programs under the Elementary and Secondary Education Act. The bill reduces the federal government's footprint in K-12 classrooms and ensures taxpayer dollars are not wasted on unnecessary, inefficient elementary and secondary education programs. Ultimately, the bill will help restore fiscal discipline and promote a more appropriate federal role in education.

### COMMITTEE ACTION

This bill begins the Committee on Education and the Workforce's effort to reform the Elementary and Secondary Education Act (ESEA) in the 112th Congress. As the Committee begins the reauthorization process, it is committed to examining the federal investment in education and evaluating elementary and secondary education programs.

#### 109<sup>th</sup> Congress

##### *Legislative Action*

On October 7, 2005, Rep. John Boehner (R-OH), Rep. Tom DeLay (R-TX), Rep. Roy Blunt (R-MO), Rep. Sam Johnson (R-TX), Rep. John Kline (R-MN), Rep. Kenny Marchant (R-TX), Rep. Virginia Foxx (R-NC), Rep. Chris Chocola (R-IN), Rep. John Doolittle (R-CA), Rep. Jeff Flake (R-AZ), Rep. Trent Franks (R-AZ), Rep. Patrick McHenry (R-NC), Rep. Mike Pence (R-IN), Rep. Pete Sessions (R-TX), Rep. John Shadegg (R-AZ), and Rep. Todd Tiahrt (R-KS) introduced H.R. 4018, the Setting Priorities in Spending Act of 2005. This bill repealed 14 programs from six federal education laws. Nine of the repealed programs are authorized under the Elementary and Secondary Education Act; most of which are included in H.R. 1891. Those programs include: Ready to Learn Television; Star Schools Act; Ready to Teach; Foreign Language Assistance Act of 2001; Community Technology Centers; Educational, Cultural, Apprenticeship, and Exchange Programs for Alaska Natives, Native Hawaiians, and their Historical Whaling and Trading Partners in Massachusetts; Arts in Education; and Women's Educational Equity.

#### 111<sup>th</sup> Congress

##### *Legislative Action*

On May 6, 2009, Rep. Howard P. "Buck" McKeon (R-CA), Rep. John Boehner (R-OH), Rep. Eric Cantor (R-VA), Rep. Mike Pence (R-IN), Rep. Pete Hoekstra (R-MI), Rep. John Kline (R-MN), Rep. Rob Bishop (R-UT), Rep. Tom McClintock (R-CA), Rep. Duncan Hunter (R-

CA), Rep. Sam Johnson (R-TX), Rep. Roscoe Bartlett (R-MD), Rep. John Linder (R-GA), Rep. Sue Myrick (R-NC), Rep. Jeb Hensarling (R-TX), Rep. John Culberson (R-TX), Rep. Kenny Marchant (R-TX), Rep. Michele Bachmann (R-MN), Rep. Doug Lamborn (R-CO), and Rep. Jason Chaffetz (R-UT) introduced H.R. 2274, the Priorities in Education Spending Act. This bill repealed 70 programs across 15 federal education laws. Thirty of these programs are authorized under the Elementary and Secondary Education Act, and all of those programs are included in H.R. 1891. Those programs include: William F. Goodling Even Start Family Literacy Program; Improving Literacy Through School Libraries; Close Up Fellowship; Comprehensive School Reform; School Leadership; Advanced Certification or Advanced Credentialing; National Writing Project; Teaching of Traditional American History; Enhancing Education Through Technology; Ready to Learn Television; Bilingual and Emergency Immigrant Education; Grants to Reduce Alcohol Abuse; Mentoring Program; Elementary and Secondary School Counseling; Smaller Learning Communities; Reading is Fundamental; Star Schools Act; Ready to Teach; Foreign Language Assistance Program; Carol M. White Physical Education Program; Community Technology Centers; Educational, Cultural, Apprenticeship, and Exchange Programs for Alaska Natives, Native Hawaiians, and their Historical Whaling and Trading Partners in Massachusetts; Mental Health Integration and Foundations for Learning; Arts in Education; Healthy, High-Performance Schools; Additional Assistance for Certain Local Educational Agencies Impacted by Federal Property Acquisition; Women's Educational Equity; Native Hawaiian Education; and Alaska Native Education Equity.

## 112<sup>th</sup> Congress

### *Hearings*

On Thursday, February 10, 2011, the Committee on Education and the Workforce held a hearing in Washington, DC, on "Education in the Nation: Examining the Challenges and Opportunities Facing America's Classrooms." The purpose of the hearing was to learn what challenges states face in developing a high-quality education system, explore innovative policies that are being proposed and implemented at the state and local level, and examine the federal investment in education and its limited impact on student achievement. Testifying before the Committee were: Dr. Tony Bennett, Superintendent of Public Instruction, Indiana Department of Education, Indianapolis, IN; Ms. Lisa Graham Keegan, Founder, Education Breakthrough Network, Phoenix, AZ; Mr. Andrew Coulson, Director, Center for Educational Freedom, CATO Institute, Seattle, WA; and Mr. Ted Mitchell, President and CEO, New Schools Venture Fund, San Francisco, CA.

On Tuesday, March 1, 2011, the Committee on Education and the Workforce held a hearing in Washington, DC, on "Education Regulations: Weighing the Burden on Schools and Students." The purpose of the hearing was to examine the burden of federal, state, and local regulations on the nation's education system and to learn whether these time consuming and duplicative requirements ultimately improve student achievement. Testifying before the Committee were: Mr. Gene Wilhoit, Executive Director, Council of Chief State School Officers, Washington, DC; Dr. Edgar Hatrick, Superintendent, Loudoun County Public Schools, Ashburn, VA; Mr. Christopher B. Nelson, President, St. John's College, Annapolis, MD; and Ms. Kati Haycock, President, The Education Trust, Washington, DC.

On Wednesday, March 9, 2011, the Committee on Education and the Workforce held a hearing in Washington, DC, on “The Budget and Policy Proposals of the U.S. Department of Education.” The purpose of the hearing was to discuss the Department’s budget request for Fiscal Year 2012. Testifying before the Committee was The Honorable Arne Duncan, Secretary, U.S. Department of Education, Washington, DC.

On Tuesday, March 15, 2011, the Committee on Education and the Workforce, Subcommittee on Early Childhood, Elementary, and Secondary Education, held a hearing on “Education Regulations: Burying Schools in Paperwork.” The purpose of the hearing was to hear from local officials representing elementary and secondary schools about the paperwork burden that bureaucratic regulations impose on their schools and school districts. Testifying before the Subcommittee were: Mr. Robert P. “Bob” Grimesey, Jr., Superintendent, Orange County Public Schools, Orange, VA; Mr. James Willcox, CEO, Aspire Public Schools, Oakland, CA; Ms. Jennifer A. Marshall, Director of Domestic Policy Studies, Heritage Foundation, Washington, DC; and Mr. Chuck Grable, Assistant Superintendent for Instruction, Huntington County Community School Corporation, Huntington, IN.

On Wednesday, April 6, 2011, the Committee on Education and the Workforce held a hearing on “Streamlining Federal Education and Workforce Programs: A Look at the GAO Report on Government Waste.” The purpose of this hearing was to examine wasteful government spending as outlined in the March 2011 Government Accountability Office (GAO) report entitled, “Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue.” This report found several instances of overlapping federal programs, including 82 individual teacher quality programs administered by multiple agencies. Testifying before the Committee was The Honorable Gene Dodaro, Comptroller General, U.S. Government Accountability Office, Washington, DC.

On Thursday, April 7, 2011, the Committee on Education and the Workforce held a hearing on “Education Reforms: Promoting Flexibility and Innovation.” The purpose of the hearing was to discuss the appropriate federal role in K-12 education and explore the work of state and local education leaders who are pushing for innovative approaches to education reform and greater state and local flexibility. Testifying before the Committee were: Dr. Janet Barresi, Oklahoma State Superintendent of Public Instruction, Oklahoma City, OK; Dr. Gary Amoroso, Superintendent, Lakeville Area Public Schools, Lakeville, MN; Mr. Yohance Maqubela, Chief Operating Officer, Howard University Middle School of Mathematics and Science, Washington, DC; and Dr. Terry Grier, Superintendent, Houston Independent School District, Houston, TX.

### *Legislative Action*

On May 13, 2011, Rep. Duncan Hunter (R-CA), Rep. John Kline (R-MN), and Rep. Howard P. “Buck” McKeon (R-CA) introduced H.R. 1891, The Setting New Priorities in Education Spending Act. This bill repeals 43 ineffective and wasteful programs authorized under the Elementary and Secondary Education Act.

The Committee on Education and the Workforce considered H.R. 1891 in legislative session on Wednesday, May 25, 2011 and reported it favorably, as amended, to the House of

Representatives by a vote of 23-16. The Committee considered and adopted the following amendments to H.R. 1891:

- Representative Duncan Hunter (R-CA) offered an amendment in the nature of a substitute to make technical and clarifying changes to the legislation. The amendment was adopted by voice vote.
- Representative Todd Russell Platts (R-PA) offered an amendment to restore the authorization for the Parent Information and Resource Center (PIRC) program. The amendment passed by a vote of 20-19.

The Committee further considered the following amendments to H.R. 1891, which were not adopted:

- Representative Dale Kildee (D-MI) offered an amendment to amend Reading First to offer literacy services in grades PreK to 12. This amendment failed by a vote of 16-23.
- Representative Rush Holt (D-NJ) offered an amendment to amend the Fund for the Improvement of Education to support foreign language education and other activities. This amendment failed by a vote of 16-23.
- Representative David Loebsack (D-IA) offered an amendment to amend the Safe and Drug Free Schools program to provide nonacademic support services for students. This amendment failed by a vote of 16-23.
- Representative Robert C. “Bobby” Scott (D-VA) offered an amendment to amend Local Innovative Education Programs to provide strategies for dropout prevention and efforts to strengthen teacher effectiveness. This amendment failed by a vote of 16-23.
- Representative Todd Russell Platts (R-PA) offered an amendment to restore the authorization for the William F. Goodling Even Start Family Literacy Program. This amendment failed by a vote of 18-21.
- Representative Susan Davis (D-CA) offered an amendment to amend the Teacher Quality State Grant program to support teacher and leader recruitment and development. This amendment failed by a vote of 16-23.
- Representative Mazie Hirono (D-HI) offered an amendment to restore the authorization for Native Hawaiian Education and Alaska Native Education Equity. This amendment failed by a vote of 16-23.

Below is a summary of H.R. 1891.

## SUMMARY

### Short Title

Section 1 gives the short title of the bill as the Setting New Priorities in Education Spending Act.

### Elementary and Secondary Education Programs

Section 2 permanently repeals the authorizations for the following programs and makes technical and conforming changes:

- Early Reading First: The Early Reading First program provided funding for early childhood centers that focus on basic language, cognitive, and pre-reading skills.
- William F. Goodling Even Start Family Literacy Program: The Even Start Program offered grants to certain low-income family literacy projects.
- Improving Literacy Through School Libraries: The Improving Literacy Through School Libraries program provided additional funding for school library media centers, materials, and media specialists.
- Demonstrations of Innovative Practices: Striving Readers, a childhood literacy program had been funded under the authority of this authorization.
- Close Up Fellowship Program: The Close Up Fellowship Program, which was administered by a private foundation, provided financial aid for low-income students, their teachers, and recent immigrants to come to Washington, DC.
- Comprehensive School Reform: The Comprehensive School Reform program provided formula grants for use in schools identified as needing improvement.
- School Dropout Prevention: The School Dropout Prevention program (High School Graduation Initiative) provided grants to help schools increase high school graduation rates.
- School Leadership: The School Leadership program provided grants to recruit, train, and mentor principals for high-need school districts.
- Advanced Certification or Advanced Credentialing: The Advanced Certification or Advanced Credentialing program was operated by the National Board for Professional Teaching Standards (NBPTS), a private organization, and provided funding for professional development.

- Special Education Teacher Training: The Special Education Teacher Training program provided funds to the University of Northern Colorado to train special education teachers.
- Early Childhood Educator Professional Development: The Early Childhood Educator Professional Development program offered grants to higher education institutions that provide professional development for early childhood educators who work with low-income families.
- Teacher Mobility: The National Panel on Teacher Mobility was created to study strategies for increasing mobility and employment opportunities for teachers.
- National Writing Project: The Department of Education provided funds to The National Writing Project, a private organization, to support programs that train teachers in teaching students how to write.
- Teaching of Traditional American History: The Teaching of Traditional American History Grant program provided competitive grants to elementary and secondary schools that teach American history as a separate academic subject.
- Enhancing Education Through Technology (Ed-Tech): Ed-Tech provided grants to State Educational Agencies (SEAs) to help elementary and secondary school students become “technologically literate.”
- Ready to Learn Television: Ready to Learn Television provided funding for the development of educational television.
- Improving Language Instruction Educational Programs: The Improving Language Instruction Educational Programs were designed to help limited English proficient students meet the same standards for academic achievement that all children are expected to meet.
- Bilingual and Emergency Immigrant Education Program: The Bilingual and Emergency Immigrant Education Program provided funding to school districts that experience unexpectedly large increases in student population due to immigration.
- State Grants for Safe and Drug-Free Schools and Communities: The Safe and Drug-Free Schools and Communities program funded certain drug-abuse and violence-prevention activities.
- Grants to Reduce Alcohol Abuse: The Grants to Reduce Alcohol Abuse program provided funding for alcohol abuse prevention programs.
- Mentoring Program: Mentoring Program grants supported school-based mentoring programs for certain children living in rural, high-crime, or troubled home environments.

- Elementary and Secondary School Counseling Program: The Elementary and Secondary School Counseling Program provided funding to school districts to establish or expand elementary and secondary school counseling programs.
- Partnerships in Character Education: The Partnerships in Character Education program provided grants for programs that educate students on elements of character such as caring, justice, forgiveness, and any other elements deemed appropriate.
- Smaller Learning Communities (SLC): SLC provided discretionary grants to school districts for use in public high schools with 1,000 or more students. SLCs included structures such as freshman academies, academies around career interests, student advisories, family advocate systems, and mentoring programs.
- Reading is Fundamental (RIF): RIF was a childhood literacy program.
- Javits Gifted and Talented: The Jacob K. Javits Gifted and Talented Students Education program provided grants for elementary and secondary schools to meet the needs of gifted and talented students.
- Star Schools: The Star Schools program provided grants to support distance education projects.
- Ready to Teach Grant Program: The Ready to Teach Grant Program supported online professional development for certain teachers and the development of educational video programming.
- Foreign Language Assistance Program: The Foreign Language Assistance Program provided grants for foreign language instruction.
- Carol M. White Physical Education Program: The Carol M. White Physical Education Program provided grants to school districts and community-based organizations to initiate or expand physical education programs.
- Community Technology Centers: The Community Technology Centers program was designed to provide residents of economically distressed urban and rural communities with increased access to information technology.
- Educational, Cultural, Apprenticeship, and Exchange Programs for Alaska Natives, Native Hawaiians, and their Historical Whaling and Trading Partners in Massachusetts: The Alaska Natives, Native Hawaiians, and Their Historical Whaling and Trading Partners program directed funds to certain entities in Alaska, Hawaii, and Massachusetts that support projects and education programs to increase understanding of cultural diversity.
- Excellence in Economic Education: The Excellence in Economic Education program supported limited teaching of economic and financial literacy to kindergarten through

12th grade students.

- Grants to Improve the Mental Health of Children, Mental Health Integration: Grants for Mental Health Integration in Schools provided funding to SEAs, school districts, and Indian tribes to increase student access to mental health care by developing programs that link school systems with mental health systems.
- Grants to Improve the Mental Health of Children, Foundations for Learning: The Foundations for Learning program made competitive grants to school districts, local councils, community-based organizations, and other public and nonprofit entities for children's development and school readiness.
- Arts in Education: The Arts in Education program funded professional development for arts teachers in high-poverty schools; replication of arts programs across school districts; and targeted awards to the John F. Kennedy Center for the Performing Arts and VSA Arts.
- Combating Domestic Violence: The Combating Domestic Violence program was designed to award grants to school districts for educating teachers, staff, and students on domestic violence issues.
- Healthy, High-Performance Schools: The Healthy, High-Performance Schools program was designed to award grants to schools for reducing energy use, meeting federal and state health and safety codes, and supporting healthful, energy efficient, and environmentally sound practices.
- Additional Assistance for LEAs Impacted by Federal Property Acquisition: This program provided additional assistance for eligible LEAs already receiving Impact Aid.
- Women's Educational Equity: The Women's Educational Equity program promoted educational equity for women and girls.
- Native Hawaiian Education: The Native Hawaiian Education program provided grants to Native Hawaiian organizations and agencies to develop education programs for native Hawaiian students.
- Alaska Native Education Equity: The Alaska Native Education Equity program provided funding to Alaska Native nonprofits and other organizations to develop education programs for Alaska Native students.

## COMMITTEE VIEWS

### Background

In 1965, Congress passed the Elementary and Secondary Education Act (ESEA) with the limited goal of providing states and local school districts additional resources to ensure

disadvantaged students have access to a quality education. The importance of ensuring students have the skills necessary to graduate high school and enroll in postsecondary education is clear. A well-educated workforce is directly tied to the nation's ability to create jobs and maintain our competitive edge in a global economy.

In the more than four decades since passage of ESEA, federal control of education has steadily increased and spending has exploded. Today, the United States spends more than \$10,000 per pupil per year, nearly triple what was spent in 1965.<sup>1</sup> Despite this record investment in public education by federal, state, and local governments, national academic performance has not improved. Math and reading scores have largely remained flat, graduation rates have stagnated, and researchers have found serious shortcomings with many federal education programs.

The last 30 years have seen particularly dramatic increases in federal spending. U.S. Department of Education K-12 funding increased from less than \$7 billion in 1980 to almost \$38 billion in 2008. The last three years have seen another spike in federal spending. With the passage of the American Recovery and Reinvestment Act (ARRA), the Department's K-12 budget ballooned to almost \$119 billion in 2009, nearly tripling in one year. As the following chart shows, federal support for elementary and secondary education represents 10.8 percent of all education spending in the United States in 2010-2011. This represents a significant growth from 2008, when the federal share of education spending stood at 7.8 percent.<sup>2</sup>

#### **EDUCATION FUNDING BY SOURCE (in billions):**

Funding source	Dollars 2009-2010	Percent 2009-2010	Dollars 2010-2011	Percent 2010-2011
Federal government	\$66.0	10.1%	\$71.0	10.8%
State government	\$287.0	44.2%	\$288.0	43.6%
Local government	\$23.0	36.4%	\$240.0	36.3%
All other	\$60.0	9.3%	\$62.0	9.3%
Total	\$650.0	100.0%	\$662.0	100.0%

The United States is a world leader in education spending. The United States spends more public and private money on education than all but three other developed countries in the world. Using 2007 data from the Organization for Economic Cooperation and Development (OECD), the National Center on Education Statistics reported this year that the United States spent 7.6 percent of GDP on education, second only to Iceland's 7.8 percent.<sup>3</sup>

Despite these investments, student achievement has remained flat. In testimony submitted to the Committee, Andrew Coulson from the non-profit CATO Institute stated that math and reading scores for graduating high school seniors have remained unchanged over the last 40 years, while science scores have declined slightly. This tracks with international comparisons.

<sup>1</sup>U.S. Department of Education, National Center for Education Statistics. (2010). *Digest of Education Statistics, 2009* (NCES 2010-013) Table 180 and Chapter 2.

<sup>2</sup> "FY2012 Education Budget Summary and Background Information," U.S. Department of Education, p.93.

<sup>3</sup> U.S. Department of Education, National Center for Education Statistics. (2011). *The Condition of Education 2011*, Indicator 38 Education Expenditures by Country

The OECD's latest Programme for International Student Assessment report, released in December of last year, ranked the United States 17<sup>th</sup> in reading, 31<sup>st</sup> in math, and 23<sup>rd</sup> in science among developed nations.<sup>4</sup> As Mr. Coulson stated, "To sum up, we have little to show for the \$2 trillion in federal education spending of the past half century. In the face of concerted and unflagging efforts by Congress and the states...it now costs three times as much to provide essentially the same education as we provided in 1970...The only thing [spending] appears to have accomplished is to apply the brakes to the nation's economic growth, by taxing trillions of dollars out of the productive sector of the economy and spending it on ineffective programs."<sup>5</sup>

The Committee is pursuing a new approach to education reform by re-evaluating the federal role in elementary and secondary education. The federal government is too involved in our nation's classrooms, and we believe states and local school districts should bear the primary responsibility for public education. We aim to reduce the size and scope of the Department of Education, roll back federal bureaucratic requirements and regulations, and eliminate and consolidate ineffective and duplicative federal education programs to help balance the budget and get the federal deficit and debt under control. These efforts will empower parents, teachers, and school leaders to address unacceptable achievement gaps and successfully prepare students for postsecondary education and the workforce.

H.R. 1891 is the first step in the Committee's education reform efforts. Under the current Elementary and Secondary Education Act, the U.S. Department of Education operates more than 80 separate programs. Many of these are duplicative, ineffective, or too small to have a meaningful impact, which results in waste and inefficiency. As the Council of the Great City Schools stated in its letter of support for this legislation, "...an array of small grant programs contributes little to the academic attainment necessary for national competitiveness nor helps overcome the achievement gaps that serve as a persistent barrier to educational and economic opportunity."<sup>6</sup>

### Programs Eliminated

H.R. 1891 begins the process of reducing waste and inefficiencies in current law by repealing the authorizations of 42 separate elementary and secondary programs. Of the programs eliminated, 14 were defunded in H.R. 1473, the Full Year FY 2011 Continuing Resolution (FY 2011 CR), which was supported by an overwhelming bipartisan majority of this Committee and was signed into law by the President. Sixteen were proposed for consolidation or elimination in the President's FY 2012 budget proposal. Six are considered earmarks under Clause 9 of House Rule XXI. Following is the list of programs eliminated in the bill.

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<sup>4</sup> "Highlights from PISA 2009," NCES, 2010

<sup>5</sup> "Education in the Nation: Examining the Challenges and Opportunities Facing America's Classrooms," hearing before the House Committee on Education and the Workforce, 112<sup>th</sup> Congress, 1<sup>st</sup> Session (February 10, 2011) (written testimony of Andrew Coulson)

<sup>6</sup> Letter from the Council of Great City Schools to The Honorable John Kline, Chairman, Education and the Workforce Committee, May 23, 2011.

- Early Reading First  
The Early Reading First program has not been funded since FY 2009. A Department of Education evaluation of the program in 2007 had only mixed results, calling into question the program's effectiveness in improving student outcomes.<sup>7</sup> The program is also duplicative of the Head Start program and other early learning programs that have recently been expanded, such as the Race to the Top Early Learning Challenge Grant. While early childhood programs serve a noble goal, the Committee believes that the Elementary and Secondary Education Act's focus should remain on K-12 education.
- William F. Goodling Even Start Family Literacy Program  
The Even Start Program was defunded in the FY 2011 CR. It is duplicative of the existing Title I Aid for the Disadvantaged program, which provides funds to states and school districts to assist low-income students excel academically. Family literacy is also a supported activity under the 21<sup>st</sup> Century Community Learning Centers program. Additionally, Title II of the Workforce Investment Act helps adults in need of literacy services obtain the educational skills necessary to become full partners in the educational development of their children. Finally, the Third National Even Start Evaluation from the Department of Education found that children and parents scored low on literacy measures compared to national norms when they exited the program.<sup>8</sup>
- Improving Literacy Through School Libraries  
The Improving Literacy Through School Libraries program was defunded in the FY 2011 CR. When it was received funding, it had a limited reach. Only 50 grants were awarded in FY 2010 and several states have never received funding under this program. The program is duplicative of the existing Title I Aid for the Disadvantaged program and programs under the Institute of Museum and Library Sciences. The President's FY 2012 budget proposed consolidating this program, indicating a broad bipartisan consensus that the goals of this program can be accomplished through other activities.
- Demonstrations of Innovative Practices  
Striving Readers, which has been funded under this authorization, was defunded in the FY 2011 CR. Striving Readers has never been authorized under the Elementary and Secondary Education Act, but has been supported through appropriations language. The program is duplicative of the Title I Aid for the Disadvantaged program, which provides funds to states and school districts to help low-income students excel academically. The President's FY 2012 budget proposed consolidating this program.
- Close Up Fellowship Program  
The Close Up Fellowship Program directs noncompetitive funds to the Close Up Foundation, which classifies it as an earmark under Clause 9 of House Rule XXI. The program was defunded in the FY 2011 CR. The President's budget proposed no funds for this program, arguing that the Close Up Foundation has enough private financial support

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<sup>7</sup> U.S. Department of Education, Institute for Education Sciences, National Center for Education Evaluation and Regional Assistance. "National Evaluation of Early Reading First, Final Report to Congress." May 2007

<sup>8</sup> U.S. Department of Education, "Third National Even Start Evaluation: Program Impacts and Implications for Improvement," 2003

to continue the program.

- Comprehensive School Reform  
The Comprehensive School Reform (CSR) program has not been funded since FY 2008. A March 2011 report evaluating the CSR model found that just 12 of 262 CSR schools made significant improvements in reading and mathematics. The report further stated, “For CSR-funded schools, at least in the first part of the decade, turnaround was a distinctly rare event, one not easily generated through federal policy intervention.”<sup>9</sup>
- School Dropout Prevention/High School Graduation Initiative  
The High School Graduation Initiative was created through the appropriations process in FY 2010 after the existing Dropout Prevention program was defunded because of its ineffectiveness. The new program is too small to make a meaningful impact, with only 27 school districts and two states receiving funding in FY 2010. The program is also duplicative of the Title I Aid to the Disadvantaged program and the School Improvement Grant program, both of which support similar dropout prevention activities.
- School Leadership  
The School Leadership program has had a limited impact on national efforts to increase student academic achievement. For example, in FY 2009 and 2010, only 21 grants were awarded. The program is also duplicative of the existing Title II Teacher Quality State Grants program, which provides resources to all states for professional development for school leaders.
- Advanced Certification or Advanced Credentialing  
The Advanced Certification or Advanced Credentialing program is operated by the National Board for Professional Teaching Standards (NBPTS) and provides funding for professional development. The program is considered an earmark under Clause 9 of House Rule XXI. The program was defunded in the FY 2011 CR, and is duplicative of the Title II Teacher Quality State Grants program.
- Special Education Teacher Training  
The Special Education Teacher Training program assists the University of Northern Colorado train special education teachers. The program is considered an earmark under Clause 9 of House Rule XXI. The program is also duplicative of the Title II Teacher Quality State Grant program and teacher training and professional development programs under Part D of the Individuals with Disabilities Education Act.
- Early Childhood Educator Professional Development  
The Early Childhood Educator Professional Development program has not received funding since FY 2007. The program is duplicative of the Title II Teacher Quality State Grants program and Title II of the Higher Education Act, which provides funds to institutions of higher education to fund professional development and teacher training

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<sup>9</sup>WestEd, “The Federal Comprehensive School Reform Program and School Turnaround: Key Evaluation Findings,” March 29, 2011

activities.

- Teacher Mobility

The National Panel on Teacher Mobility program has never been funded and is duplicative of the Title II Teacher Quality State Grants program.

- National Writing Project

This program provides noncompetitive funds to the National Writing Project, a non-profit organization. The program is considered an earmark in violation of Clause 9 of House Rule XXI. The program was defunded in the FY 2011 CR and is duplicative of the Title I Aid to the Disadvantaged and Title II Teacher Quality State Grants programs. Little is known about the effectiveness of this program, and the Office of Management and Budget's (OMB) Program Assessment Rating Tool (PART) review found insufficient evidence of its effectiveness.<sup>10</sup>

- Teaching of Traditional American History

The Teaching of Traditional American History program has yielded questionable results from numerous evaluations that call into question its effectiveness and impact on increasing student achievement. For example, OMB's PART review found no demonstrated results from the program and determined it was duplicative of the Title II Teacher Quality State Grants program.<sup>11</sup> A follow-up Department of Education evaluation found that program participants demonstrated a "limited ability to analyze and interpret historical data" and that "projects were not well integrated with other local, state and federal teacher development initiatives."<sup>12</sup> The President's FY 2012 budget proposal consolidates this program.

- Enhancing Education Through Technology (Ed-Tech)

Ed-Tech was defunded in the FY 2011 CR. The OMB PART review found insufficient data for demonstrating the program's impact on student achievement."<sup>13</sup> Elementary and secondary schools offer a greater level of technology infrastructure than just a few years ago, and there is no longer a significant need for a separate program limited to the integration of technology into schools and classrooms. States and school districts that still have this need can use funds from the Title I Aid to Disadvantaged students and Title II Teacher Quality State Grants programs.

- Ready to Learn Television

Ready to Learn Television has had a limited impact on student achievement. OMB's PART evaluation found insubstantial effects on student outcomes.<sup>14</sup> In FY 2010, only

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<sup>10</sup>National Writing Project Program Assessment. Office of Management and Budget, ExpectMore.gov. 2004

<sup>11</sup>Teaching of Traditional American History Program Assessment, Office of Management and Budget, ExpectMore.gov. 2004

<sup>12</sup>Humphrey, Daniel C., et. al, "Evaluation of the Teaching American History Program," Executive Summary, Page xvi. For the U.S. Department of Education. 2005

<sup>13</sup>Enhancing Education Through Technology Program Assessment. Office of Management and Budget, ExpectMore.gov. 2005

<sup>14</sup>Ready to Learn Television Program Assessment. Office of Management and Budget, ExpectMore.gov. 2004

three grants were awarded, the largest of which was the Corporation for Public Broadcasting, which received \$430 million in direct appropriations in the FY 2011 CR.

- Improving Language Instruction Educational Programs  
The Improving Language Instruction Educational Programs have never been funded, and are duplicative of the Title I Aid for the Disadvantaged and the Title III English Language Acquisition programs. Furthermore, all states receiving Title I money are held accountable for the achievement of immigrant students and limited English proficient students.
- Bilingual and Emergency Immigrant Education Program  
The Bilingual and Emergency Immigrant Education program has not been funded since FY 2001 and is duplicative of the Title I Aid for the Disadvantaged and the Title III English Language Acquisition programs. Furthermore, all states receiving Title I money are held accountable for the achievement of immigrant students and limited English proficient students.
- State Grants for Safe and Drug-Free Schools and Communities  
The Safe and Drug-Free Schools and Communities program has not been funded since FY 2009. The OMB PART review rated the program as “Ineffective” because of its inability to demonstrate any measurable student outcome results.<sup>15</sup> The evaluation also found that grant funds were spread too thin to support quality interventions. According to the Department of Education, nearly two-thirds of grant recipients received allocations of less than \$10,000. The activities of this program can be supported by the Safe and Drug-Free Schools and Communities National Programs and the 21<sup>st</sup> Century Community Learning Center program.
- Grants to Reduce Alcohol Abuse  
The Grants to Reduce Alcohol Abuse program received only \$6.9 million in the FY 2011 CR, representing a dramatic cut from FY 2010 and FY 2009 levels. The program is duplicative of activities that can be supported as part of the 21<sup>st</sup> Century Community Learning Centers program, which provides funds to school districts to support efforts that assist students in academic enrichment activities, including drug and violence prevention. The President’s FY 2012 budget consolidates the program.
- Mentoring Program  
The Mentoring Program has not received funding since FY 2009. The OMB PART evaluation found no evidence of success and reported the program is duplicative of multiple state and local mentoring programs.<sup>16</sup> Mentoring is also being supported through the U.S. Department of Justice’s Office of Juvenile Justice and Delinquency Prevention. Through the American Recovery and Reinvestment Act, projects were awarded for up to \$500,000.

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<sup>15</sup>State Grants for Safe and Drug-Free Schools and Communities Assessment. Office of Management and Budget, ExpectMore.gov, 2002

<sup>16</sup>Mentoring Program Assessment. Office of Management and Budget, ExpectMore.gov, 2006

- Elementary and Secondary School Counseling Program  
The Elementary and Secondary School Counseling Program has had a limited impact on student achievement. In FY 2010, just 42 school districts in 20 states were awarded grants under this program. In general, school counselors are supported with state and local funds, but the Title I Aid for the Disadvantaged program, the 21<sup>st</sup> Century Community Learning Centers program, and the Homeless Education program all support counseling services for at-risk populations.
- Partnerships in Character Education  
The Partnerships in Character Education program has not received funding since FY 2009. The program has an extremely limited impact. In FY 2008, only three school districts received grants, and since 2004, only 20 states plus Guam and the District of Columbia have received any funding. The Department of Education's Institute of Education Sciences conducted a review of more than 40 Character Education programs for the What Works Clearinghouse and found only two with positive results.<sup>17</sup>
- Smaller Learning Communities (SLC)  
SLC was defunded in the FY 2011 CR. A 2008 Department of Education review of long-term outcomes from this program found no meaningful trends in student achievement.<sup>18</sup> The program is also duplicative of the Title I Aid to the Disadvantaged program and School Improvement Grants.
- Reading is Fundamental (RIF)  
RIF is a non-profit organization that receives a non-competitive grant through the program. Because of this, it is considered an earmark under Clause 9 of House Rule XXI. The program was defunded in the FY 2011 CR. The program is also duplicative of the Title I Aid for the Disadvantaged program.
- Javits Gifted and Talented  
The Jacob K. Javits Gifted and Talented Students Education program was defunded in the FY 2011 CR. The program has had a very limited impact, with only 16 grants awarded in the last five years. In addition, states and school districts can use funds from other programs to support the activities of this program. For example, the Title II Teacher Quality State Grants program can support professional development for teachers working with gifted and talented students.
- Star Schools  
The Star Schools program has not been funded since FY 2007, and new awards have not been made since 2005, demonstrating the limited impact this program has had. States and school districts wishing to support the program's activities can use funds under the existing Title II Teacher Quality State Grants program for professional development to

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<sup>17</sup>Pearson, Ann E., et. al, "Survey of Outcomes Measurement in Research on Character Education Programs." U.S. Department of Education, Institute of Education Sciences. 2009

<sup>18</sup>Bernstein, Lawrence, et. al. "Implementation Study of Smaller Learning Communities Final Report." U.S. Department of Education, 2008

train teachers in technology-based instruction.

- Ready to Teach Grant Program  
The Ready to Teach Grant program was funded in FY 2010. However, those funds were rescinded as an offset to the Education Jobs Fund. The program was not funded in the FY 2011 CR. Between FY 2005 and FY 2009, only two to four grants were awarded per year, demonstrating the limited impact of this program. It is also duplicative of the existing Title II Teacher Quality State Grants program.
- Foreign Language Assistance Program  
The Foreign Language Assistance program has had a very limited impact at the national level, with only 35 new awards in FY 2010. Funds from the Title I Aid for the Disadvantaged program, Title II Teacher Quality State Grants program, and the Higher Education Act could all be used to support foreign language programs.
- Carol M. White Physical Education Program  
The Carol M. White Physical Education program is duplicative of initiatives administered by the Centers for Disease Control and projects and school wellness policies created and funded under the Child Nutrition Act that promote nutrition education, physical activity, and obesity prevention. Ultimately, the decision to purchase sports equipment or support the other activities of this program should be made at the state and local level.
- Community Technology Centers  
The Community Technology Centers program has not been funded since FY 2005, when it only received \$5 million. Other federal programs can support these activities. For example, local public housing authorities and non-profit organizations can apply to the Department of Housing and Urban Development for grants to establish, operate, and expand computer centers, known as Neighborhood Network Centers. Funds are also available through the Opportunity Corps, which was established during the last reauthorization of the National and Community Service Act.
- Educational, Cultural, Apprenticeship, and Exchange Programs for Alaska Natives, Native Hawaiians, and their Historical Whaling and Trading Partners in Massachusetts  
This program earmarks funds for certain entities in Alaska, Hawaii, and Massachusetts that support projects and education programs to increase understanding of cultural diversity. The program is considered an earmark under Clause 9 of House Rule XXI. The program was defunded in the FY 2011 CR and the President's FY 2012 budget proposed its elimination.
- Excellence in Economic Education  
The Excellence in Economic Education program is a very small categorical program that has received only \$5.6 million total over the last four years. The program supports the Council for Economic Education, a nonprofit organization that receives the support of many private individuals and corporations. The program does not need federal support to fulfill its mission, and is duplicative of other existing federal efforts. A 2009 RAND survey, recently verified by the Government Accountability Office, found that there are

21 federal agencies offering a total of 56 economic and financial literacy programs.<sup>19</sup>

- Grants to Improve the Mental Health of Children, Mental Health Integration  
This Mental Health Integration program was defunded in the FY 2011 CR. It has had a limited impact, with only 16 school districts receiving awards in FY 2010. States and school districts that wish to support mental health activities for at-risk populations can use funds under the Title I Neglected and Delinquent Youth program, the 21<sup>st</sup> Century Community Learning Centers program, and the Homeless Education program.
- Grants to Improve the Mental Health of Children, Foundations for Learning  
This Foundations for Learning program was defunded in the FY 2011 CR. It has had a limited impact, with only four school districts receiving awards in FY 2009. States and school districts that wish to support mental health activities for at-risk populations can use funds under the Title I Neglected and Delinquent Youth program, the 21<sup>st</sup> Century Community Learning Centers program, and the Homeless Education program.
- Arts in Education  
The Arts in Education program has two parts. A portion of the funds are awarded noncompetitively to two nonprofit organizations, The Kennedy Center and VSA Arts, which makes this portion of the program an earmark under Clause 9 of House Rule XXI. The second part of the program provides funds to school districts to implement arts education, including professional development for teachers. These activities are duplicative of the Title II Teacher Quality State Grants program. The President's FY 2012 budget proposes consolidating this program.
- Combating Domestic Violence  
The Combating Domestic Violence program has never been funded and has, therefore, had no national impact. Numerous other federal grant programs, primarily at the Departments of Justice and Health and Human Services, address the impact of family and domestic violence on school-aged children.
- Healthy, High-Performance Schools  
The Healthy, High-Performing Schools program has never been funded and has, therefore, had no national impact. The federal government has historically stayed out of state and local funding decisions involving the repair and modernization of school buildings and opposed efforts to create national school construction programs. Despite this, the American Recovery and Reinvestment Act created a pot of funds to help schools and districts with modernization projects, reinforcing the need to eliminate this program.
- Additional Assistance for LEAs Impacted by Federal Property Acquisition  
This program has never been funded and has, therefore, had no national impact. It is also duplicative of the existing Impact Aid program, which provides funds to school districts adversely impacted by the presence of federal property such as Indian lands, military

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<sup>19</sup>Government Accountability Office, Report to Congress on List of Selected Federal Programs That Have Similar or Overlapping Objectives, Provide Similar Services, or are Fragmented Across Government Missions. March 18, 2011.

bases, or national forests and parks.

- Women's Educational Equity

The Women's Educational Equity program was defunded in the FY 2011 CR and was proposed for elimination in the President's FY 2012 budget. A number of studies and reports over the last decade have shown that women have made educational gains matching or exceeding those of their male peers. A recent briefing by the Boys Initiative revealed, among other things, that "boys both drop out of high school and receive disciplinary action, including expulsion, more often than girls."<sup>20</sup>

- Native Hawaiian Education

The Native Hawaiian Education program is duplicative of the Title I Aid to the Disadvantaged program, which already targets funds to disadvantaged students to increase academic achievement. In 2010-2011, Hawaii received more than \$42.6 million in Title I funds. If the state has additional needs, the Committee should address this problem through formula changes to the Title I program. Hawaii also receives funding under other major federal education programs, including the Title II Teacher Quality State Grants program, Rural Education initiatives, and the 21<sup>st</sup> Century Community Learning Centers program. Further, the effectiveness of this program has been called into question. The program's most recent performance report found that it failed to meet any of its objectives.<sup>21</sup>

- Alaska Native Education Equity

The Alaska Native Education Equity program is duplicative of the Title I Aid to the Disadvantaged program, which already targets funds to disadvantaged students to increase academic achievement. In 2010-2011, Alaska received more than \$37.2 million in Title I funds. If the state has additional needs, the Committee should address this problem through formula changes to the Title I program. Alaska also receives funding under other major federal education programs, including the Title II Teacher Quality State Grants program, Rural Education initiatives, and the 21<sup>st</sup> Century Community Learning Centers program.

## Conclusion

H.R. 1891 is the first in a series of education reform bills geared toward streamlining and simplifying the federal role in education so that states, school districts, parents, and teachers are empowered to pursue innovative reforms that meet the needs of their students. It is an important initial step that will help reduce the federal government's footprint in K-12 classrooms and ensure taxpayer dollars are not wasted on unnecessary, inefficient elementary and secondary education programs.

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<sup>20</sup>Boys Initiative Washington, DC Briefing. "The State of Boys in America: A Briefing on the Latest Research Findings and What They Mean for America in an Increasingly Competitive World." May 17, 2011

<sup>21</sup>U.S. Department of Education, FY 2007 Education for Native Hawaiians Performance Report

## **SECTION-BY-SECTION ANALYSIS**

### **Section 1. Short Title.**

States the short title as the “Setting New Priorities in Education Spending Act.”

### **Section 2. Elementary and Secondary Education Programs.**

Repeals the following provisions of the Elementary and Secondary Education Act of 1965: Early Reading First; William F. Goodling Even Start Family Literacy Program; Improving Literacy through School Libraries; Demonstrations of Innovative Practices; Close Up Fellowship Program; Comprehensive School Reform; School Dropout Prevention; School Leadership; Advanced Certification or Advanced Credentialing; Special Education Teacher Training; Early Childhood Educator Professional Development; Teacher Mobility; National Writing Project; Teaching of Traditional American History; Enhancing Education through Technology, including Ready to Learn Television; Improving Language Instruction Educational Programs for Academic Achievement Act, including the Bilingual and Emergency Immigrant Education Program; State Grants for Safe and Drug-Free Schools and Communities; Grants to Reduce Alcohol Abuse; Mentoring Programs; Elementary and Secondary School Counseling Programs; Partnerships in Character Education; Smaller Learning Communities; Reading is Fundamental; Javits Gifted and Talented Students; Start Schools Act; Ready to Teach Program; Foreign Language Assistance Act of 2001; Carol M. White Physical Education Program; Community Technology Centers; Educational, Cultural, Apprenticeship, and Exchange Programs for Alaska Natives, Native Hawaiians, and their Historical Whaling and Trading Partners in Massachusetts; Excellence in Economic Education; Grants to Improve the Mental Health of Children, including Mental Health Integration and Foundations for Learning; Arts in Education; Combating Domestic Violence; Healthy, High-Performance Schools; Additional Assistance for Certain Local Educational Agencies Impacted by Federal Property Acquisition; Women’s Educational Equity Act of 2001; Native Hawaiian Education Act; Alaska Native Educational Equity, Support, and Assistance Act.

Makes technical and conforming changes to the Elementary and Secondary Education Act of 1965.

## **EXPLANATION OF AMENDMENTS**

The amendments, including the amendment in the nature of a substitute, are explained in the body of this report.

## **APPLICATION OF LAW TO THE LEGISLATIVE BRANCH**

Section 102(b)(3) of Public Law 104-1 requires a description of the application of this bill to the legislative branch. H.R. 1891 repeals 42 K-12 education programs under the Elementary and

Secondary Education Act of 1965. H.R. 1891 would have no direct impact on the Legislative Branch.

### **UNFUNDED MANDATE STATEMENT**

Section 423 of the Congressional Budget and Impoundment Control Act (as amended by Section 101(a)(2) of the Unfunded Mandates Reform Act, P.L. 104–4) requires a statement of whether the provisions of the reported bill include unfunded mandates. This issue is addressed in the CBO letter.

### **EARMARK STATEMENT**

H.R. 1891 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of House Rule XXI.

### **ROLL CALL VOTES**

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee Report to include for each record vote on a motion to report the measure or matter and on any amendments offered to the measure or matter the total number of votes for and against and the names of the Members voting for and against. [insert]

### **STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES**

In accordance with clause (3)(c) of House Rule XIII, the goal of H.R. 1891 is to streamline and simplify the federal role in education by repealing the authorization of unnecessary, inefficient elementary and secondary education programs. The Committee expects the Department of Education to comply with these provisions and implement the changes to the law in accordance with these stated goals.

### **STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE**

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the body of this report.

### **NEW BUDGET AUTHORITY AND CBO COST ESTIMATE**

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for H.R. 1891 from the Director of the Congressional Budget Office: [insert]

## **COMMITTEE COST ESTIMATE**

Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out HR 1891. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act.

## **CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED**

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman): **[insert]**